

California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

NOTICE OF EVIDENTIARY HEARING
IN THE MATTER OF
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

Carl Boyett, Carol Boyett, Boyett Petroleum
171 Santa Rosa Avenue, Santa Rosa

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) will hold a hearing (unless waived) on May 15, 2003, at 9:00 a.m., or as soon thereafter as possible in the Regional Water Board Hearing Room, 5550 Skylane Boulevard, Suite A, Santa Rosa. The hearing will be held to take evidence regarding administrative civil liability for violation of a Time Schedule Order and failure to submit an acceptable Corrective Action Plan to address petroleum hydrocarbon discharges to groundwater and Santa Rosa Creek. The Complaint seeking administrative civil liability (Administrative Civil Liability Complaint No. R1-2003-0023) was served by the Regional Water Board Executive Officer to Carl and Carol Boyett and Boyett Petroleum (Discharger) on January 31, 2003. On March 21, 2003, the Executive Officer re-served the Complaint.

At the public hearing, the Regional Water Board will take evidence regarding the Complaint and will determine whether to confirm, reject or modify the Complaint.

The Discharger and interested persons must submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, written copies of all technical reports, testimony, and other evidentiary material concerning this issue by 5:00 p.m. on April 21, 2003. This written material will be submitted to the Regional Water Board members and all interested persons along with the full agenda materials.

Written material received after the above date will not be accepted except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, Sections 648.1 and 648.4.).

All those who plan to testify at the hearing must submit written statements to the Regional Water Quality Control Board by April 21, 2003. Testimony at the above-

scheduled hearing should be limited to a summary of the above-described written evidence. The time constraints for oral testimony or comments will be set by Regional Water Board Chair and usually will allow no more than 10 minutes for Regional Water Board staff and the Discharger and three minutes for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

The evidentiary documents and comments received are on file at the Regional Water Board office (5550 Skylane Boulevard, Suite A, Santa Rosa, California). The draft staff report will be available by April 11, 2003. Written materials on file may be inspected or copied at the Regional Water Board office on Mondays from 1:30 to 4:30 p.m., Tuesday through Thursday from 8:30 to 11:30 a.m. and from 1:30 to 4:30 p.m., and Fridays from 8:30 to 11:30 a.m. Appointments are recommended for file review and can be made by calling (707) 576-2220. The Complaint is also available for review on the North Coast Regional Water Quality Control Board website at <http://www.swrcb.ca.gov/rwqcb1>.

Susan Warner
Executive Officer

March 21, 2003

JEF:js/BoyettPN